

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

QUANNAH HARRIS,
d/b/a LAST MINUTE CUTS,

Plaintiff,

v.

Case No. 2:22-cv-02757-MSN-tmp
JURY DEMAND

SALMON SIMS THOMAS, PLLC,
EILEEN KELLER, AARON LOHMAN,
AND JOHN DOES 1–10,

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is Chief Magistrate Judge Pham’s Report and Recommendation as to Defendants’ 12(b)(2) Motion to Dismiss (ECF No. 17) and Defendants’ Motion to Transfer Venue or Rule 12(b)(3) Motion to Dismiss (ECF No. 20). (“Report,” ECF No. 26.) The Report recommends that Defendant’s 12(b)(2) and 12(b)(3) Motions to Dismiss be denied and their Motion to Transfer be granted. For the reasons set forth below, the Report is **ADOPTED**.

STANDARD OF REVIEW

Congress enacted 28 U.S.C. § 636 to relieve the burden on the federal judiciary by permitting the assignment of district court duties to magistrate judges. *See United States v. Curtis*, 237 F.3d 598, 602 (6th Cir. 2001) (citing *Gomez v. United States*, 490 U.S. 858, 869–70 (1989)); *see also Baker v. Peterson*, 67 F. App’x 308, 310 (6th Cir. 2003). For dispositive matters, “[t]he district judge must determine *de novo* any part of the magistrate judge’s disposition that has been properly objected to.” *See Fed. R. Civ. P. 72(b)(3); 28 U.S.C. §636(b)(1)*. After reviewing the

evidence, the court is free to accept, reject, or modify the magistrate judge's proposed findings or recommendations. 28 U.S.C. § 636(b)(1). The district court is not required to review—under a *de novo* or any other standard—those aspects of the report and recommendation to which no objection is made. *See Thomas v. Arn*, 474 U.S. 140, 150 (1985). The district court should adopt the magistrate judge's findings and rulings to which no specific objection is filed. *See id.* at 151.

DISCUSSION

The Chief Magistrate Judge issued his Report on March 1, 2023. The Report warned that objections were due within 14 days and failure to object may constitute a waiver of objections, exceptions, and any further appeal. (ECF No. 26 at PageID 560.) To date, no objections to the Report's findings or recommendations have been filed, and the deadline for doing so has expired. The Court has reviewed the Report for clear error and finds none. Accordingly, the Court **ADOPTS** the Report in its entirety.

CONCLUSION

For the reasons set forth above, the Report is **ADOPTED**. Defendants' 12(b)(2) and 12(b)(3) Motions to Dismiss are **DENIED** and their Motion to Transfer is **GRANTED**. The Clerk is hereby **DIRECTED** to transfer this matter to the Northern District of Texas.

IT IS SO ORDERED, this 26th day of April, 2023.

s/ Mark S. Norris

MARK S. NORRIS

UNITED STATES DISTRICT JUDGE